



# Public Notice

US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

Public Notice Number: 200200554

Date: June 9, 2005

Comments Due: July 14, 1005

In reply, please refer to the Public Notice Number

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the State Route 20 Rehabilitation Project in both Colusa and Sutter Counties. The proposed project would rehabilitate approximately 8.8-miles of State Route 20 and would result in impacts to approximately 18.66-acres of waters of the United States, including wetlands, in or adjacent to the Sacramento River. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

**AUTHORITY:** This application is being evaluated under Section 10 of the Rivers and Harbors Act of 1899 for structures or work in or affecting navigable waters of the United States and/or Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

**APPLICANT:** California Department of Transportation, District 3, 703 B Street, P.O. Box 911, Marysville, California 95901-0911

**LOCATION:** The project site is located south of the town of Colusa, and approximately 12 miles west of Yuba City in Sections 31 and 32, Township 16 North, Range 1 West, Sections 5, 9, 16, 15, 14, 13, Range 1 west, Sections 18, 17, 16, Township 15 North, Range 1 East, MDB&M, Latitude 39-12-2.83, Longitude 122-0-5.89 in Colusa and Sutter Counties, California, and can be seen on the Colusa USGS Topographic Quadrangle.

**PROJECT DESCRIPTION:** The California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA) are proposing a highway improvement project on State Route 20 in Colusa and Sutter Counties. Based on the available information, the overall project purpose is to make road improvements to State Route 20 from Butte Vista Way in Colusa County to Hageman Road in Sutter County. The applicant believes the project would result in improved traffic safety and operations along this portion of State Route 20. The proposed roadway rehabilitation includes a pavement overlay, shoulder widening, upgrading intersections to current standards, raising the profile of the roadway in an area subject to localized flooding, and construction of two-way left-turn lanes and passing lanes. The attached drawings provide additional project details.

## **ADDITIONAL INFORMATION:**

**Environmental Setting.** There are approximately 18.66-acres of waters of the United States within the project area, which include mostly roadside seasonal and perennial wetlands. Other waters of the United States within the project footprint include Steer Ditch, Powell Slough, the Sacramento River and various unnamed drainage and irrigation canals. The final wetland impact calculations, based on the verified wetlands include permanent wetland impacts of 4.53-acres with temporary wetland impacts totaling 10.44-acres. In addition, permanent impacts to other waters of the United States total 0.52-acres and temporary impacts are 0.84-acres.

**Alternatives.** The project range of alternatives were developed in consultation with the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service using the National Environmental Policy Act/404 Integration Process (NEPA/404). The following alternatives and design options were considered: **Build Alternative**, which was developed as a result of design features that were refined to avoid and minimize impacts to environmentally sensitive areas. The project was designed to avoid a mitigation bank located at Dolan Ranch. The project footprint was also adjusted to minimize wetland impacts and decrease permanent impacts to giant garter snake habitat. The **No-Build Alternative**, the no-build alternative proposes to maintain the existing conditions without any improvements. This alternative would produce not environmental impacts and no mitigation would be required. The "no build" alternative would result in further deterioration of the roadway and does not address the existing need for the roadway rehabilitation. The **Preferred Alternative**, identified the environmentally sensitive areas and the project was then modified to reduce the overall impacts. The following include the types of modifications that were made: The passing lane was reduced by 1 mile to avoid wetland impacts, the road side slope and the clearance from the toe of the right-of-way line was reduced in the environmentally sensitive areas, and to eliminate the impacts to Dolan Ranch, a (giant garter snake mitigation bank), the alignment was shifted approximately 6.6-feet to the west. Additionally, shoulder widening near the Steer Creek portion of the project would minimize impacts of dewatering on the surrounding wetlands. Supplementary information concerning the project alternatives may be available from the applicant.

Originally, this project was four individual projects with similar work, schedules, and locality. By combining the projects, the contractor will be able to coordinate and schedule the work to best utilize lane closures and minimize traffic delays. Thus, impacts and inconveniences to property owners, the surrounding community, and the traveling public will be reduced.

**Mitigation.** The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. At this time, the applicant has submitted a conceptual habitat mitigation and monitoring plan.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** As required under Section 401 of the Clean Water Act a Technically-conditioned Certification has been issued from the California Regional Water Quality Control Board.

**HISTORIC PROPERTIES:** Potentially eligible cultural resources may be affected by the proposed project. The applicant together with the Federal Highway Administration will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Preservation Act, as appropriate.

**ENDANGERED SPECIES:** The project activity could have potential permanent or temporary effects on vernal pool fairy shrimp (*Branchinecta lynchi*) and tadpole shrimp (*Lepidurus packardi*) species, as well as giant garter snake (*Thamnopsis gigas*) and valley elderberry long horned beetle (*Desmocerus californicus dimorphus*). The applicant together with the Federal Highways Administration will initiate consultation with the U.S. Fish and Wildlife Service, pursuant to Section 7 of the Endangered Species Act, as appropriate.

**ESSENTIAL FISH HABITAT:** The proposed project will not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act.

The above determinations are based on information provided by the applicant and our preliminary review.

**EVALUATION FACTORS:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**SUBMITTING COMMENTS:** Please submit written comments to Laura Whitney, Project Manager, US Army Corps of Engineers, Sacramento District Sacramento Valley Office, 1325 J Street, Room 1480, Sacramento, California 95814-2922, Email: [Laura.A.Whitney@usace.army.mil](mailto:Laura.A.Whitney@usace.army.mil), on or before **Thursday, June 14, 2005**.

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act.

If you have questions or need additional information please contact Jennifer Olah, Environmental Planner/Biologist, Department of Transportation at 530-740-4807 or Laura Whitney, 916-557-7455, [Laura.A.Whitney@usace.army.mil](mailto:Laura.A.Whitney@usace.army.mil).

Attachments: 4 drawings